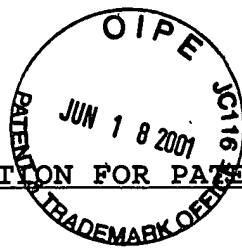


#4



DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **VIGILANCE NUCLEIC ACIDS AND RELATED DIAGNOSITC, SCREENING AND THERAPEUTIC METHODS**, the specification of which

\_\_\_\_\_ is attached hereto as Attorney Docket No.

\_\_\_\_\_).

x was filed on **December 8, 2000**, as Application Serial No. **09/733,607** (Attorney Docket No. **P-NI 4447**).

and was amended on (or amended through) \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of

Inventors: Tononi et al.  
Serial No.: 09/733,607  
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record or being made of record in the application, and (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Giulio Tononi

Inventor's signature:

Date:

Residence:

Escondido, California

Citizenship:

Italy

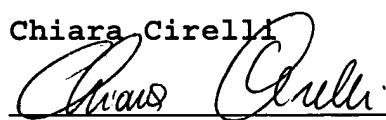
Post Office Address:

GT 03/26/01  
~~1127 Inspiration Lane 4175 Baldwin Place, Apt 54~~  
~~Escondido, CA 92025 USA~~ San Diego 92103

Inventors: Tononi et al.  
Serial No.: 09/733,607  
Filed: December 8, 2000  
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Full name of second inventor: Chiara Cirelli

Inventor's signature:



Date:

3/26/01

Residence:

Escondido, California

Citizenship:

Italy

Post Office Address:

~~1127 Inspiration Lane~~ ~~Escondido, CA 92025~~ ~~4175 BACHMAN PL, Apt. 54~~  
~~USA SAN DIEGO, CA 92103~~

Full name of third inventor:

Paul J. Shaw

Inventor's signature:



Date:

May 30, 2001

Residence:

San Diego, California

Citizenship:

USA

Post Office Address:

911 Law Street, Apt. B  
San Diego, CA 92109 USA

Full name of fourth inventor: Ralph J. Greenspan

Inventor's signature:



Date:

May 29, 2001

Residence:

Coronado, California

Citizenship:

USA

Post Office Address:

1020 Glorietta Boulevard  
Coronado, CA 92118 USA



POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee Neurosciences Research Foundation, Inc. is the owner of the entire right, title and interest of U.S. patent application Ser. No. 09/733,607, filed on December 8, 2000, as attorney docket number P-NI 4447, and entitled VIGILANCE NUCLEIC ACIDS AND RELATED DIAGNOSTIC, SCREENING AND THERAPEUTIC METHODS, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ROBERT T. RAMOS, Registration No. 37,915; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; and MELANIE K. WEBSTER, Registration No. 45,201.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

Inventors: Tononi et al.  
Serial No.: 09/733,607  
Filed: December 8, 2000  
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The undersigned is authorized to sign on behalf of the Assignee.

Signature:

Wm Einar Gall

Name (typed):

Wm. EINAR GALL

Title:

Sr. VICE PRESIDENT

Assignee:

NEUROSCIENCES RESEARCH FOUNDATION, INC.

Date:

26 March 2001

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**



Title of Application: VIGILANCE NUCLEIC ACIDS AND RELATED  
DIAGNOSTIC, SCREENING AND THERAPEUTIC  
METHODS

Application Ser. No.: 09/733,607

Filed: December 8, 2000

Inventor(s): Tononi et al.

Attorney Docket No.: P-NI 4447

Neurosciences Research Foundation, Inc., a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: April 17, 2001

Signature: Wm. Einar Gall

Name: Wm. EINAR GALL

Title: Sr. Vice President

# COPY

JOINT

ASSIGNMENT

This Assignment is made by Giulio Tononi, Chiara Cirelli, Paul J. Shaw and Ralph J. Greenspan, all of San Diego, California Assignors, to Neurosciences Research Foundation, Inc., Assignee, having a place of business at 10640 John Jay Hopkins Drive, San Diego, California 92121.

WHEREAS, Assignors have invented a new and useful VIGILANCE NUCLEIC ACIDS AND RELATED DIAGNOSTIC, SCREENING AND THERAPEUTIC METHODS for which an application for United States Letters Patent was filed on December 8, 2000, in the United States Patent and Trademark Office, bearing Serial No.09/733,607 and identified as Attorney Docket No: P-NI 4447;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United

Inventors: Tononi et al.  
Serial No.: 09/733,607  
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States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

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IN WITNESS WHEREOF, Assignors have executed this Assignment  
on the date(s) provided below.

Assignor: Giulio Tononi

Giulio Tononi  
Signature

03/26/01  
Date

STATE OF California )  
COUNTY OF San Diego )

On March 26, 2001, before me, Marjorie Horschler, Notary Public  
personally appeared Giulio Tononi, personally known to me - OR -  proved to me on the basis of  
satisfactory evidence to be the person  whose name  is/ subscribed to the within instrument and acknowledged to me that  
~~he/she/they~~  executed the same in his/her/~~their~~ authorized  
capacity , and that by his/her/~~their~~ signature  on the  
instrument the person , or the entity upon behalf of which the  
person  acted, executed the instrument.

WITNESS by hand and official seal.

Marjorie Horschler  
(Signature of Notary)



Inventors: Tononi et al.  
Serial No.: 09/733,607  
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Page 4

Assignor: Chiara Cirelli

Chiara Cirelli  
Signature

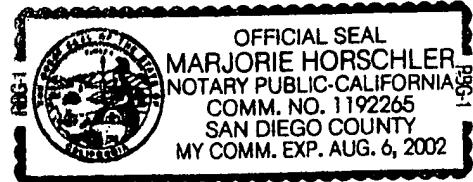
3/26/01  
Date

STATE OF California)  
COUNTY OF San Diego)

On March 26, 2001, before me, Marjorie Horschler, Notary Public  
personally appeared Chiara Cirelli,  
personally known to me - OR - X proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
~~he/she/they~~ executed the same in ~~his/her/their~~ authorized  
capacity(ies), and that by ~~his/her/their~~ signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Marjorie Horschler  
(Signature of Notary)



Inventors: Tononi et al.  
Serial No.: 09/733,607  
Filed: December 8, 2000  
Page 5

Assignor: Paul J. Shaw

Paul J. Shaw

Signature

4/25/01

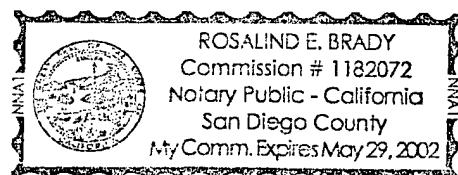
Date

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO )

On APRIL 25, 2001, before me, ROSAUND E. BRADY NOTARY PUBLIC, personally appeared PAUL J. SHAW, personally known to me - OR - X proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Rosalind E Brady  
(Signature of Notary)



Inventors: Tononi et al.  
Serial No.: 09/733,607  
Filed: December 8, 2000  
Page 6

Assignor: Ralph J. Greenspan

Ralph J. Greenspan

Signature

Date

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO )

On APRIL 25, 2001, before me, ROSA琳D E. BRADY, NOTARY PUBLIC personally appeared RALPH J. GREENSPAN, personally known to me - OR - X proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Rosalind E. Brady  
(Signature of Notary)

